

Section 25b (Exempt Products)

PESTICIDE PRODUCTS EXEMPT FROM REGISTRATION

A GUIDE TO UNDERSTANDING PESTICIDE REGISTRATION

THIS FACT SHEET WILL ANSWER THESE QUESTIONS:

- How do I determine if a product is exempt from registration in California?
- If a product qualifies for federal exemption, is it exempt from registration in California?
- Can a product be registered in California even if it is not required to be registered in California?

How do I determine if a product is exempt from registration in California?

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 25(b) and California law exempt certain pesticide products from registration, provided they meet certain criteria. However, these products are still pesticides and individuals in the business of pest control for hire who apply exempt products are still subject to the Department of Pesticide Regulation's (DPR's) licensing requirements, but are exempt from pesticide use reporting.

The criteria and label requirements for products that are exempt from registration are outlined in DPR's [California Notice to Registrants 2000-6](#). Because California exemption criteria are linked closely to U.S. Environmental Protection Agency (U.S. EPA) exemption criteria, [U.S. EPA's PR Notice 2000-6](#) should also be used in conjunction with California's Notice 2000-6 as a reference. When U.S. EPA and California criteria differ, the California criteria must be followed.



To qualify for exemption, products must meet the following minimum requirements:

- The active ingredient(s) must be listed by name and percentage (by weight) on the label. Each active ingredient in the pesticide product must be listed in [Title 40, Code of Federal Regulations \(40 CFR\), section 152.25\(f\)\(1\)](#). The approved list of active ingredients, along with California's specific requirements, can also be found in [Title 3, California Code of Regulations \(3 CCR\), section 6147\(a\)](#).
- All inert ingredients must be listed by name on the label. All inert ingredients must be on U.S. EPA's most current [Inert Ingredients Eligible for Federal Insecticide, Fungicide, and Rodenticide Act \(FIFRA\) Section 25\(b\) Pesticide Products](#) list (formerly referred to as List 4A).
- The total percentage by weight must equal 100 percent.
- The label must not contain false or misleading statements as defined in [40 CFR section 156.10\(a\)\(5\)\(i\) through \(viii\)](#).
- Additionally, products must also meet a series of exemption conditions described in [40 CFR section 152.25](#) and [3 CCR section 6147](#).

If a product qualifies for federal exemption, is it exempt from registration in California?

Not necessarily. For a product to qualify for exemption in California, it must meet federal exemption requirements and California exemption requirements outlined in [3 CCR section 6147](#).

Can a product be registered in California even if it is not required to be?

If a product is exempt from California registration but the registrant voluntarily elects to seek registration in California, the company must first seek federal registration of its product with U.S. EPA. Note: this does not apply to products that are exempt from federal registration but *require* registration in California. This only pertains to products that are exempt both federally and in California.

For more information, please contact:

Margaret Reiff

California Department of Pesticide Regulation

Pesticide Registration Branch

1001 I Street | P.O. Box 4015

Sacramento, CA 95812-4015

Telephone: (916) 445-5977

E-mail: mreiff@cdpr.ca.gov



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